

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
Case No. 7:16-cv-30-M-KS**

BONNIE PELTIER, as Guardian)
of A.P., a minor child, et al.;)
)
Plaintiffs,)
)
v.)
)
CHARTER DAY SCHOOL, INC., et al.,)
)
Defendants.)

**JOINT STATUS REPORT
AND NOTICE OF SETTLEMENT**

The parties, through their undersigned attorneys, have conferred and hereby submit this Joint Status Report and state as follows:

1. On August 18, 2022, this Court issued a stay in the above-captioned matter pending the Supreme Court’s decision on Defendants’ petition for certiorari, which challenged the Fourth Circuit’s state-action holding in *Peltier v. Charter Day Sch., Inc.*, 37 F.4th 104 (4th Cir. 2022). [DE 278.] That order also required the parties to confer and file a joint status report within five business days of the Supreme Court’s decision.

2. The parties thereafter submitted joint status reports and, per the Court’s subsequent orders, kept the Court apprised that settlement negotiations were ongoing. [DE 285 – 291.] On October 17, 2023, the Court directed the parties to file another joint status report or notice of settlement on or before November 10, 2023.

3. The parties hereby report that they have reached a settlement in principle in this matter. The parties are in the process of finalizing a settlement agreement memorializing those terms. Under the anticipated terms, the parties will stipulate to the dismissal of certain claims and otherwise jointly request entry of a consent final judgment on the remaining claims in accordance with the Court’s earlier orders on summary judgment.

4. The parties reasonably expect the stipulation of dismissal and joint motion for entry of a consent final judgment to be filed within the next thirty (30) days. Accordingly, the parties request that the Court continue the stay in the case until such time as the stipulation of dismissal and joint motion for entry of a consent final judgment are filed with the Court.

Respectfully submitted, this 10th day of November, 2023.

BAKER BOTTS L.L.P.

By: /s/ Aaron M. Streett

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CERTIFICATE OF SERVICE

On November 10, 2023, I electronically filed the foregoing Joint Status Report with the Clerk of the Court using the Court's CM/ECF system, which will serve all counsel of record.

/s/ John E. Harris

John E. Harris